

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	CRIMINAL NO. _____
v.	:	DATE FILED: _____
XIAO CHUN CHEN,	:	VIOLATIONS:
a/k/a "Huan Chen"	:	18 U.S.C. § 1344 (bank fraud - 1 count)
	:	18 U.S.C. § 2 (aiding & abetting)
	:	
	:	

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

At all times material to this indictment:

1. Wachovia Bank was a financial institution, conducting business in the State of Delaware and the Commonwealth of Pennsylvania, the deposits of which were insured by the Federal Deposit Insurance Corporation.
2. Defendant XIAO CHUN CHEN, a/k/a "Huan Chen," resided in Atlantic City, New Jersey.
3. From in or about October 2004, to in or about May 2005, in the Eastern District of Pennsylvania, defendant

XIAO CHUN CHEN
a/k/a "Huan Chen"

executed, and attempted to execute, and aided and abetted the execution of, a scheme to defraud Wachovia Bank and to obtain monies owned by and under the care, custody, and control of

Wachovia Bank by means of materially false and fraudulent pretenses, representations, and promises.

The Wachovia Bank Fraud Scheme

It was part of the scheme that:

4. Defendant XIAO CHUN CHEN, a/k/a “Huan Chen,” and other persons known to the grand jury, would steal valid checks from United States Postal Service (USPS) mail collection boxes located in the Eastern District of Pennsylvania, between October 2004 and May 2005. The checks stolen from the mail collection boxes would then be counterfeited by a person known to the grand jury.

5. Defendant XIAO CHUN CHEN, a/k/a “Huan Chen,” would travel from his residence in Atlantic City, New Jersey, to Philadelphia, Pennsylvania, where he would meet a person known to the grand jury and would be provided with: a) false identification documents for purposes of opening bank accounts in Delaware and withdrawing funds from the opened bank accounts; and b) counterfeit checks to be deposited into the bank accounts opened with the false identification documents.

6. After the counterfeit and worthless checks were deposited into the bank accounts opened with false identification, thereby causing the bank accounts to show false and inflated balances, defendant XIAO CHUN CHEN, a/k/a “Huan Chen,” and another person known to the grand jury would withdraw monies using the following methods:

- a. cash withdraws at the time of the initial deposit of a counterfeit check;
- b. the purchase of United States Postal Service money orders;
- c. Automatic Teller Machine (ATM) withdraws;

- d. debit card purchases; and
- e. the payment of credit card accounts using checks received when the bank accounts were opened using the false identification documents.

The stolen proceeds would then be shared among defendant XIAO CHUN CHEN, a/k/a “Huan Chen,” and the other person known to the grand jury.

7. On or about October 5, 2004, defendant XIAO CHUN CHEN, a/k/a “Huan Chen,” used false identification documents to open Wachovia checking account no. 1010101058636 and Wachovia savings account no. 3000063785864, at the request of a person known to the grand jury, who provided the defendant with false identification documents and counterfeit checks.

8. Between on or about March 1, 2005, and on or about May 27, 2005, defendant XIAO CHUN CHEN, a/k/a “Huan Chen,” and other persons known to the grand jury, deposited approximately 13 stolen and counterfeit checks, totaling approximately \$28,943.23, into Wachovia checking account no. 1010101058636 and Wachovia savings account no. 3000063785864, and then withdrew the deposited funds from Wachovia checking account no. 1010101058636 and Wachovia savings account no. 3000063785864, at various banking locations in Pennsylvania, Delaware, New Jersey and New York, resulting in an overdraft of approximately \$8,331.60.

9. On or about March 22, 2005, defendant XIAO CHUN CHEN, a/k/a “Huan Chen,” deposited a stolen and counterfeit check in the amount of \$2,500 into Wachovia checking account no. 1010101058636, and withdrew \$1,000 at the time of deposit.

10. On or about March 22, 2005, defendant XIAO CHUN CHEN, a/k/a “Huan Chen,” deposited a stolen and counterfeit check in the amount of \$2000 into Wachovia savings account no. 300063785864, and withdrew \$1,000 at the time of deposit.

11. On or about March 23, 2005, defendant XIAO CHUN CHEN, a/k/a “Huan Chen,” deposited a stolen and counterfeit check in the amount of \$1490.57 into Wachovia checking account no. 1010101058636, and withdrew \$1,000 at the time of deposit.

12. On or about March 23, 2005, defendant XIAO CHUN CHEN, a/k/a “Huan Chen,” deposited a stolen and counterfeit check in the amount of \$1,541.27 into Wachovia savings account no. 300063785864, and withdrew \$1,000 at the time of deposit.

13. On or about March 24, 2005, defendant XIAO CHUN CHEN, a/k/a “Huan Chen,” deposited a stolen and counterfeit check in the amount of \$4,235.77 into Wachovia checking account no. 1010101058636, and withdrew \$2,000 at the time of deposit.

14. On or about March 25, 2005, defendant XIAO CHUN CHEN, a/k/a “Huan Chen,” deposited a stolen and counterfeit check in the amount of \$4,500 into Wachovia checking account no. 1010101058636, and withdrew \$2,000 at the time of deposit.

15. On or about March 25, 2005, defendant XIAO CHUN CHEN, a/k/a “Huan Chen,” withdrew \$1,000 from Wachovia savings account no. 300063785864

16. On or about March 26, 2005, defendant XIAO CHUN CHEN, a/k/a “Huan Chen,” deposited a stolen and counterfeit check in the amount of \$2000 into Wachovia savings account no. 300063785864, and withdrew \$1,500 at the time of deposit.

In violation of Title 18, United States Code, Sections 1344 and 2.

A TRUE BILL:

GRAND JURY FOREPERSON

PATRICK L. MEEHAN
UNITED STATES ATTORNEY